



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JAM/MEM  
F. #2017R00509

*271 Cadman Plaza East  
Brooklyn, New York 11201*

February 18, 2021

By ECF

The Honorable LaShann DeArcy Hall  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Karl Jordan, Jr., et al.  
Criminal Docket No. 20-CR-305 (LDH)

Dear Judge DeArcy Hall:

After conferring with counsel for each of the defendants in the above-referenced case, the government respectfully writes in response to the Court's order directing the parties to file a joint status report by February 18, 2021 in lieu of an in-person appearance. The government also respectfully requests, with consent of each of the parties, that the intervening time between February 16, 2021 and the next status conference, scheduled for April 19, 2021, be excluded from the calculation of the Speedy Trial Act time limitations, pursuant to Title 18, United States Code, Section 3161(h)(7)(A).

The parties last appeared before Your Honor on November 18, 2020. The government has since produced additional discovery to the defendants, pursuant to Rule 16 of the Federal Rules of Criminal Procedure, see, e.g., ECF Docket Entries Nos. 40, 43, and will continue to do so on an ongoing basis. Counsel for the defendants continue to review the discovery produced thus far.

The government's internal deliberative process as it relates to the charged death-eligible offenses in this case is also ongoing. Counsel for both defendants intend to perform mitigation investigations and have requested that the government incorporate defense mitigation submissions into its internal memoranda and review process as soon as they become available. The government has agreed not to submit its internal draft memoranda and recommendations to the Department of Justice, Criminal Division, Capital Case Section ("CCS"), Capital Review Committee until the defense mitigation submissions are complete. Due to the ongoing pandemic, defense counsel are unable to predict at this time when that mitigation work will be completed.

In light of the fact that the production and review of discovery in this case is ongoing, as is the review process for the death-eligible offenses in this case, coupled with ongoing current events and public health concerns, see, e.g., E.D.N.Y. Administrative Order 2020-26-2 (temporarily suspending all in-person proceedings within the District through March 1, 2021 in light of the pandemic’s ongoing “extraordinary impact on the Eastern District of New York and the operations of this Court”), the parties jointly request and agree that excluding the intervening time from February 17, 2021 to April 19, 2021 from the calculation of the Speedy Trial Act time limitations, pursuant to Title 18, United States Code, Section 3161(h)(7)(A), would serve the ends of justice.

As noted above, we have spoken with counsel for each defendant about these matters, all of whom consent to the requests herein.

Respectfully submitted,

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Acting United States Attorney

By: \_\_\_\_\_ /s/  
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cc: All Counsel of Record (by ECF)